

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABDELFATAH ELLAWENDY,
Petitioner,

v.

MONTEREY COUNTY SUPERIOR
COURT,
Respondent.

Case No. 20-[02708](#) BLF (PR)

**ORDER DENYING MOTION TO
APPOINT COUNSEL**

Petitioner moves for the appointment of counsel. Dkt No. 31. The Sixth Amendment's right to counsel does not apply in habeas corpus actions. *See Knaubert v. Goldsmith*, 791 F.2d 722, 728 (9th Cir. 1986). However, 18 U.S.C. § 3006A(a)(2)(B) authorizes a district court to appoint counsel to represent a habeas petitioner whenever "the court determines that the interests of justice so require" and such person is financially unable to obtain representation. Appointment is not warranted in this case. Not only has Petitioner failed to present any argument in support of his motion, but there are also no pending deadlines as Petitioner has already filed a traverse, Dkt. No. 30. Accordingly, Petitioner's motion for appointment of counsel is DENIED.

IT IS SO ORDERED.

Dated: January 10, 2023


BETH LABSON FREEMAN
United States District Judge